

## **EAST COUNTY CITIZENS ADVISORY BOARD MINUTES**

### **Meeting of October 6, 2010**

Eastern Montgomery Regional Services Center  
3300 Briggs Chaney Road  
Silver Spring, Maryland 20904

#### **MEMBERS (ECCAB)**

**Present:** Marva Deskins, Esq. (Chair); David M. Kochanski, Esq. (Vice Chair); Anthony Ramirez (Secretary); Eric G. Luedtke (Parliamentarian); Thomas J. Aylward; G. Stanley Doore; Peter Myo Khin; Allan Mulligan; Leonard E. Newman; Alfreda H. Payne, Ph.D.; Bill Strassberger; Saschane M. Stephenson; Benoy Thomas; Ned B. Williams.

**Absent:** Kim Bobola, Ph.D; Sally Colgan; Odessa Shannon

**STAFF (EMRSC):** Joy Nurmi (Director) and Anjoo Chohda (SEAA), Eastern Montgomery Regional Services Center

#### **GUESTS:**

Miguel Iraola (ASLA, Hord Coplan Macht); Matthew Fitzsimmons (Associate AIA, LEED AP, Hord Coplan Macht); Roylene Roberts, Chief, Neighborhood Revitalization, Montgomery County Department of Housing & Community Affairs; Cathy Mahmud (Montgomery County Dept. of Housing and Community Affairs (DHCA)); Chris Jones (President; BMC Property Group); Mark Pharoh (Chair, Eastern County Recreation Advisory Board); Jennifer Wright (Burtonsville Elementary School PTA); Barbara Foresti (White Oak Master Plan/Quaint Acres); Delegate Karen S. Montgomery (Legislative District 14, Montgomery County); Harry Montgomery (spouse, Del. Karen Montgomery); Nancy Sturgeon (Lead Planner, M-NCPPC); Kristin O'Connor (Senior Planner, M-NCPPC); Dan Wilhem (Greater Colesville Citizens Association (GCCA) and Montgomery County Civic Federation (MCCF)); Mara Parker (Staff, Councilmember Marc Elrich's office); Miti Figueredo (Staff, Councilmember Nancy Navarro's office); Richard Romer (Policy Analyst; Councilmember Valerie Ervin's office); Whitney Teal (Editor, Colesville Patch); Frank Carouso (GLCA); Claudia Caruso (GLCA); Gabe B. (Boyscouts); Lou Giacchino (Hillandale Citizens Association); Eileen Finnegan (Editor, "The Hillandaler" 301-439-2263); Neeta Datt (Resident); Darcy Axe (Resident); Thomas Smith (Resident)

#### **CITIZEN'S FORUM**

**Chair Marva Deskins** – Welcomed everyone and presided over the meeting. The guests were asked to introduce themselves and share their concerns with the board. The floor was opened for questions.

Mark Pharoh:

- a. Congratulated Bill Strassberger, ECCAB member, for winning the weight loss contest at the Fairland Recreation Center.
- b. Burtonsville Day – Health Fair by ECCAB members was a big success.
- c. Update on dog parks – residents do not want to pay \$40.00 towards dog park permits. Suggests an increase of \$1.00 or \$2.00 in license fee would work better versus a \$40.00 charge

Reference <http://www.montgomeryparks.org/permits/find/dogparkpermits.shtm>

d. Public Reform Forum is scheduled on October 20, 2010 at 7:00 pm. in the Third Floor Hearing Room of the Council Office Building at 100 Maryland Ave. in Rockville. Residents are invited to offer opinions on restructuring the current organization of County Government and County-funded agencies.

Reference [http://www.montgomerycountymd.gov/Apps/Council/PressRelease/PR\\_details.asp?PrID=7006](http://www.montgomerycountymd.gov/Apps/Council/PressRelease/PR_details.asp?PrID=7006)

## CALL TO ORDER

The meeting was called to order at 7:35 p.m.

**Chair Marva Deskins** –Announced presentations by

- (a) Chris Jones (Update on Burtonsville Shopping Center);
- (b) Department of Housing and Community Affairs and the Burtonsville Streetface consultants (Hord Coplan Macht) (Update on developments on the north side of Rte 198) and,
- (c) Councilmember Valerie Ervin, District 5 (Update on County Council)

## PRESENTATIONS

1. **Chris Jones**, President; BMC Property Group- shared an update on Burtonsville Shopping Center. Giant ready to open (expected by November 8<sup>th</sup>; Baskin Robbins; Dry Cleaners stores are returning). Mr. Jones intends to set up Burtonsville Shopping Center online for the community.

2. **Cathy Mahmud**, Department of Housing and Community Affairs shared an update on Burtonsville façade proposals that are eligible for improvement.

**Miguel Iraola and Matthew Fitzsimmons** (Burtonsville consultants, Hord Coplan Macht) updated the Board on the progress on the Burtonsville Community Legacy Plan. The presentation highlighted options for Gateway Signage; Dustin road roundabout; Southern and Eastern Gateways; Site Improvements; Existing Street face elements along MD Rt. 198; Site enhancements – “Five Year Horizon” strategies; Retail Signage Strategies; Multi-Tenant Sign options; Façade elements.

Q & A session followed.

3. **Councilmember Valerie Ervin** – Councilmember Ervin represents District 5 (Silver Spring, Kensington and Takoma Park). Shared an update on:

a. Public Safety meeting– Council member Ervin attended the Public Safety meeting scheduled on October 4, 2010 to discuss recent car break-ins.

b. Truancy in Montgomery County (Creating Innovative Partnerships to Keep Children in Class)- Councilmember Ervin is proud to partner with the University of Baltimore School of Law, the State's Attorney's Office and Montgomery County Public Schools to kick off Montgomery County's first Truancy Court Program at Key Middle School in Silver Spring on March 24. They have been working together for several months to make this program a reality for Montgomery County students. Truancy is an issue confronting communities throughout the nation and research links truancy to higher drop-out rates, substance abuse, and juvenile delinquency. As she meet with residents around the County, the issue of truancy often emerges, and it was one of the focal points of the Safe Silver Spring Summit. As the Chair of the Council's Education Committee, Councilmember Ervin requested that the Council's Office of Legislative Oversight perform a comprehensive analysis of truancy in Montgomery County and to identify best practices for dealing with this issue.

A full copy of this report can be found at:

[http://www.montgomerycountymd.gov/content/council/olo/reports/pdf/2010-7\\_truancy.pdf](http://www.montgomerycountymd.gov/content/council/olo/reports/pdf/2010-7_truancy.pdf)

The goal of the Truancy Court Program in Montgomery County is to improve student attendance by discovering the root causes of truancy and assisting students and their families with issues that impact attendance. This preventative program, which is funded by a federal grant, pairs students with a volunteer judge who meets with students for 10 weeks to determine why a child repeatedly misses school.

c. Youth Advisory Council meeting – Councilmember Ervin attended the new Youth Advisory Committee (YAC) orientation at the Silver Spring Regional Center on October 2nd to kickoff a new initiative that will give our youth a voice in County government. County Executive Isiah Leggett and Councilmember Valerie Ervin, who represents the lower part of East County, greeted the new YAC members.

d. Ambulance Fee – Council will not make any decision until voters have spoken.

e. Thanked east county resident, Eileen Finnegan for working issues related to the East County Science Center Master Plan. Hope is coming to Percontee, FDA. Thanked Eileen and colleagues for their assistance.

Q & A session followed.

**Chair Deskins**– Thanked the speakers for their presentations.

## **APPROVAL OF MINUTES**

Chair Deskins asked for a review of the minutes of the ECCAB Meeting of September 1, 2010.

[**October 6, 2010 -1**] A motion to approve the minutes of September 1, 2010 was offered. The motion was moved by Leonard Newman; seconded by Benoy Thomas and unanimously approved.

## **DIRECTOR'S REPORT**

Joy Nurmi announced:

1. Councilmember Navarro is asking Committees to Address Crime Issues faced by renters – On October 7<sup>th</sup> Council member Nancy Navarro, will urge a joint meeting of the Council's Public Safety Committee and its Planning, Housing and Economic Development (PHED) Committee to take action to protect residents who live in multi-family or rental housing that are experiencing increased crime problems. (Copy of press release shared with members)
2. Transportation Reimbursement – will send more information. County Executive strongly supports EMS fee.
3. Burtonsville Day – outstanding results. Thanked members for their participation (Services and Outreach Committee). Our Park and Planning planner, Kristin O'Conner, spent the day with us in our tent talking to residents about the Burtonsville Neighborhood Plan, and Joy Patil, our community service police officer, sat with us during the afternoon to pass out crime prevention information. ECCAB Members stopping by to help at the tent included Marva Deskins, Sally Colgan, Odessa Shannon, Tom Aylward, Benoy Thomas, Kim Bobola, Anthony Ramirez and Peter Myo Khin.
4. IDA Sector meeting – is scheduled on October 12, 2010; 10:30 a.m. at the White Oak Library. Members are encouraged to attend.
5. Burtonsville Shopping Center – The scheduled meeting with the County Executive, Economic

Development Director Steve Silverman, Councilmember Nancy Navarro and representatives from Edens and Avant, the shopping center owners, to discuss tenant concerns was postponed. An update will be provided at the November meeting.

## **CHAIR'S REPORT**

Announcements by Chair Deskins:

1. Annual Report – Anthony Ramirez is working on the report which will be complete soon.
2. Upcoming Motion – Bill Strassberger offered a motion for consideration for ECCAB's support for EMS transport fee.
3. Election Day- November 2<sup>nd</sup> is Election Day and everyone is encouraged to vote. Early voting begins October 22<sup>nd</sup> at the Marilyn J. Praisner Center.
4. Lastly, announced Joy Nurmi's, Director of the Center, birthday is October 11<sup>th</sup>. Board members wished Joy and surprised her with a card and cake.

## **COUNCIL REPORTS**

**Councilmember Nancy Navarro's office:**

Miti Figueredo announced:

- Joint Public Safety/Planning, Housing and Economic Development Committee meeting will on public safety issues in rental housing will include Police and other agencies – Health and Human Services, Housing of Opportunities Commission, Department of Housing and Community Affairs and Police will be participating at October 7<sup>th</sup> (tomorrow's) meeting.

**Councilmember Mark Elrich's office:**

Mara Parker:

- Thanked ECCAB on the success of Burtonsville day.

## **COMMITTEE REPORTS**

**Outreach Committee: Alfreda H. Payne, Chair**

The Outreach Committee has not completed the final tabulation on the Burtonsville Day survey. Close to 500 surveys were distributed at the event.

**Services Committee: Chair Anthony Ramirez**

Last month, the Committee held a Health Fair at Burtonsville Day that was very successful. Thanked Kim Bobola and Sally Colgan for their efforts in holding the fair. Thanks to Burtonsville Elementary school and the Bait-ur-Rehman Mosque for providing tables at the health fair.

**Economic Development and Infrastructure Committee: Tom Aylward, Chair**

The committee discussed ZTA 10-07 to limit large off-street parking areas and ZTA 09-03 (Home Occupations and Residential Off-street Parking).

Last year, November 4, 2009 – the board wrote a letter to Council President, Phil Andrews supporting ZTA 09-03. The Committee recommends reinforcing this letter by writing again to the Council, and urging them to pass ZTA 09-03.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

Chair Deskins – announced two motions up for consideration - one by Bill Strassberger and the other as referenced by Tom.

Tom Aylward – moves that the board to reinforce its position urging the Council to pass ZTA 09-03. Eric G. Luedtke seconded.

Chair Deskins – asked members for further discussion. Motion for immediate consideration.

Len Newman –seconded

**[October 6, 2010 -2]** A motion for Board Chair to write to Council President to support ZTA 09-03. A vote was conducted by show of hands – all members voted for. The motion was moved, seconded and unanimously approved.

Bill Strassberger asked the board to pass a motion to write a letter to the Council to support Emergency Medical Ambulance Reimbursement. A discussion followed among members and it was finally decided that since this issue is pending with voters, it would be moot for ECCAB to write a letter, although, ECCAB supports County Executive’s decision on ambulance reimbursement fees.

Stan Doore – asked the board to write the Council on the issue of one laptop per child. The matter was referred to Services Committee for discussion.

## **ANNOUNCEMENTS**

None

## **ADJOURNMENT**

Chair Marva Deskins – made a motion to adjourn the meeting.

**[[October 6, 2010 -3]** A motion to adjourn the meeting of October 6<sup>th</sup> 2010 was passed. The motion was seconded and unanimously approved. The meeting was adjourned at 9:40 p.m.

**The next meeting of ECCAB is scheduled for November 3, 2010.**

## ATTACHMENT

### Director's Report – October 2010

#### Emergency Services Transport Reimbursement

The Maryland Court of Appeals has ruled that the voters will decide whether Montgomery County can enact the Ambulance Reimbursement Program, and therefore, the General Election Ballot will include:

Question A: A Referendum on Law Enacted by the County Council Emergency Medical Services Transport Fee

*Shall the Act to require the collection of an emergency medical services transport (ambulance) fee from: (1) County residents to the extent of the resident's insurance coverage; and (2) non-County residents subject to a hardship waiver become law?*

**The County Executive strongly supports the Ambulance Reimbursement Program. Here is his statement of support.**

We must keep the Montgomery County Fire & Rescue Service world-class and make sure it has the resources to protect our families. We must continue to serve everyone in need, regardless of ability to pay.

That's why Council passage today of the Emergency Medical Services (EMS) Transport Fee is so important. This measure will save lives because our Fire & Rescue Service will have the resources it needs to meet the growing emergency service needs within the County.

With passage of this bill, Montgomery County will receive \$13 million this year – and nearly \$170 million over ten years -- in revenue from funds already set aside by private insurance companies, Medicare, and Medicaid.

Other jurisdictions are already using these funds to improve services and save lives – with no adverse effects. Passage of this fee will allow Montgomery to do the same.

- County residents with health insurance will pay nothing – no co-pays, no deductibles, nothing. Guaranteed. The charge will be billed directly to Medicare, Medicaid, and health insurance companies. County residents without insurance pay nothing. If questions arise about reimbursements that will be between the companies/payors and the County – the individual County resident will still pay nothing.
- Nearly all of our neighboring jurisdictions either have an EMS Transport fee -- Fairfax County, Frederick County, Prince George's County, the District of Columbia, Arlington County, Anne Arundel County, Baltimore, Prince William County, and Alexandria. In fact 19 of 26 Maryland counties, over 50 of 95 Virginia counties and the vast majority of jurisdictions nationwide already have such a fee.
- 100 percent of the net proceeds of the EMS Transport Fee will go by law to strengthen and enhance the MCFRS.
- There is also no evidence that health insurance premiums have gone up because of EMS charges. Ambulance expenditures account for less than 1 percent of insurance expenditures. In most cases County

residents may already be paying for ambulance service as a part of their premiums.

- There is no evidence from jurisdictions that have successfully implemented this fee that it deters anyone from calling for needed emergency medical transport assistance.
- There is no evidence that such fees have hurt volunteer efforts in any of the jurisdictions that have implemented.

If we had failed to implement an EMS Transport fee, our options would have been to increase taxes further, take resources away from other critical County needs, or slow the pace of needed improvements in our emergency medical services. That is unacceptable.

The County Council has made the right call – and County residents will be safer as a result.

### **Burtonsville Day**

What a fabulous Day!!! The ECCAB was out at Burtonsville Day in full force!!! Thanks to all of you who helped make the ECCAB Health Fair and the ECCAB Tent a huge success. The ECCAB Services Committee worked hard on the Health Fair, which brought together a variety of organizations to inform residents and perform a variety of health screenings, give flu shots and offer free vitamin D tests. Special thanks to Kim Bobola, Anthony Ramirez, and Len Newman, and our ECRSC Community Development Manager, Nona Watson, who helped with tables, setup and other tasks that helped make the Health Fair possible.

Thanks also to the Outreach Committee, who conducted a resident survey, which they are now tabulating.

Our P&P planner, Kristin O’Conner, spent the day with us in our tent talking to residents about the Burtonsville Neighborhood Plan, and Joy Patil, our community service police officer, sat with us during the afternoon to pass out crime prevention information. ECCAB Members stopping by to help at the tent included Marva Deskins, Odessa Shannon, Tom Aylward, Benoy Thomas, Kim Bobola, Anthony Ramirez and Peter Myo Khin.

### **Anti-Gang Federal Funds for Briggs Chaney/White Oak areas**

As I mentioned last month, Congress has approved \$1.3 million each for Montgomery and Prince George’s Counties for gang prevention activities. This week, I will be meeting with the Special Investigation Division to discuss how we can work together on preventing gang activities and crime in East County.

### **IDA Sector Meeting – October 12<sup>th</sup> at 10:30 a.m. at the White Oak Library**

Please join the ECRSC and our new Third District Police Lieutenant Michael Price, as we meet with businesses from the White Oak Shopping Center, a representative from its management company, B.F. Saul, and the community on how to make East County safer.

### **Burtonsville Crossing Shopping Center**

This week, I will be meeting with the County Executive, Economic Development Director Steve Silverman, Councilmember Nancy Navarro and representatives from Edens and Avant, the shopping center owners, to discuss tenant concerns.

**Newly Formed Pepco Work Group to Study Causes of and Solutions for Utility's Frequent Outages and Their Duration; Leggett Announces Members of Work Group Headed by Retired Lockheed Martin CEO Norman Augustine**

Responding to residents' increasing frustrations with Pepco's response and overall performance during several severe weather emergencies this year and to help assure reliable electricity for the County, Montgomery County Executive Ike Leggett today announced the names of residents selected to serve on the new Pepco Work Group. The group will identify and investigate causes for the frequent electricity outages and their duration.

The group's work plan will consist of four parts:

- 1) Identify and investigate the causes for frequent outages and the duration of the outages in the Montgomery County portion of the Pepco service area;
- 2) Investigate and review Pepco's historic comparative position to other utilities regarding service stability and reliability;
- 3) Report the group's findings; and
- 4) Recommend improvements that will result in "best in class" utility service.

Among the issues to be addressed are:

- 1) Adequacy of Pepco's preventative maintenance and tree trimming programs;
- 2) Pepco's infrastructure and determining its contribution to the frequency of the outages;
- 3) Pepco's contracting and operational procedures and practices for bringing in mutual aid and other contractual resources to bear in emergency situations;
- 4) Adequacy of Pepco's communications systems for notifying and hearing from the public during major emergencies.
- 5) Adequacy of Pepco's staffing to respond to normal maintenance activities, as well as to major emergencies.
- 6) The contribution of non-field causes to unreliable service (e.g., a rate structure that does not incentivize preventative maintenance; the absence of possible rate credits and other reparations to customers for damages caused, the lack of threat of payment of fines to the Public Service Commission); and
- 7) Adequacy of coordinating activities with the County during major emergency conditions.

The group is expected to submit a final report, with recommendations, within the next three to six months.

Leggett said he was "enormously pleased at how many residents were willing to roll up their sleeves and offer their perspectives and time to help assure reliable electricity for our County."

The Pepco Work Group will be chaired by Norman R. Augustine, retired CEO of Lockheed Martin and Montgomery County resident, whose numerous leadership positions include having served as Under Secretary of the Army, Chairman and Principal Officer of the American Red Cross and President of the Boy Scouts of America. He also received the National Medal of Technology from the President of the United States and is a five-time recipient of the Distinguished Service Medal, the Department of Defense's highest civilian decoration. Augustine has been cited for his "ability to cut through complex issues quickly" and to be able to "bring diverse groups of people together to focus on getting results."

“I’m especially pleased that we have someone of Norman Augustine’s caliber heading the group,” Leggett said. “Given his results-oriented background and the credentials of the group as a whole, I know their final report will present some viable options for solutions to the issue at hand.”

Members of the group are:

- Gerald Fitzpatrick, National Institute of Standards and Smart Grid expert who serves on the Federal Smart Grid Task Force;
- Michal Ilana Freedhoff, staff member on the House Energy and Commerce Commission;
- Keith Haller, communications expert;
- Scott Hempling, executive director of the National Regulatory Research Institute;
- Brian Lang, representing the development and property management industries;
- Carmen Larsen, co-chair, Latin American Advisory Group;
- Steve Richter, electric utility industry consultant;
- Debbie Robins of Century Distributors, Inc. representing large employers;
- Arthur Slesinger, representing County civic associations;
- Scott Ullery, Rockville City Manager representing County municipalities; and
- Jim Young of Marriott International representing the hospitality industry.